



# PUBLIC NOTICE

Federal Communications Commission  
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**DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL  
OF RBJ CORP., HOLWAY TELEPHONE COMPANY,  
HOLWAY LONG DISTANCE COMPANY, KLM TELEPHONE COMPANY,  
AND KLM LONG DISTANCE COMPANY TO RBJ HOLDINGS, INC.**

**NON-STREAMLINED PLEADING CYCLE ESTABLISHED**

**WC Docket No. 07-106**

**Comments Due: June 6, 2007**

**Reply Comments Due: June 13, 2007**

On May 16, 2007, RBJ Corp. ("RBJ"), Holway Telephone Company ("Holway"), Holway Long Distance Company ("Holway LD"), KLM Telephone Company ("KLM"), KLM Long Distance Company ("KLM LD") (collectively, "Transferors"), and RBJ Holdings, Inc. ("Holdings" or "Transferee", and together with Transferors, "Applicants") filed an application pursuant to sections 63.03 and 63.04 of the Commission's rules<sup>1</sup> requesting approval to transfer control of Transferors to Holdings.<sup>2</sup>

The Applicants do not seek streamlined treatment for this application under section 63.03(b) of the Commission's rules.<sup>3</sup> Holway is an incumbent local exchange carrier (LEC) that serves Maitland, Missouri, an area that is adjacent to the service area of an incumbent LEC affiliate of Holdings. The affiliate, Oregon Farmers Mutual Telephone Company ("Oregon-Farmers"), serves Oregon and Forest City, Missouri. The Applicants, including Oregon-Farmers and all other Holdings-affiliated incumbent LECs have, in combination, fewer than 2 percent of the nation's subscriber lines installed in the aggregate nationwide, but because of the adjacent service areas the Applicants have identified, this application is not entitled to presumptive streamlined treatment.<sup>4</sup>

<sup>1</sup> 47 C.F.R. §§ 63.03, 63.04; *see* 47 U.S.C. § 214.

<sup>2</sup> Applicants are also filing applications for transfer of control associated with authorization for international services and to transfer a private radio license. Any action on this domestic 214 application is without prejudice to Commission action on other related, pending applications. Applicants filed a supplement to their domestic 214 application on May 22, 2007.

<sup>3</sup> *See* 47 C.F.R. § 63.03.

<sup>4</sup> *See* 47 C.F.R. § 63.03(b)(2)(iii); *Implementation of Further Streamlining Measures for Domestic Section 214 Authorizations*, 17 FCC Rcd 5517, 5534 (2002), para. 32.

Holway is a rural incumbent LEC that serves Maitland Missouri in Northwest Missouri. Holway LD is an interexchange service reseller that provides service to subscribers in the general area served by Holway. KLM is a rural incumbent LEC that serves Rich Hill, Missouri in Western Missouri. KLM LD is an interexchange service reseller that provides service to subscribers in the general area served by KLM. Each of these companies is a Missouri corporation and a wholly owned subsidiary of RBJ, which is also a Missouri corporation and functions as a holding company. The following individuals, all U.S. citizens, own 10 percent or more of RBJ: Evan Copsey, Jane Copsey, and Bruce Copsey.

Holdings, a North Carolina corporation, was established to purchase RBJ. Holdings is a wholly owned subsidiary of American Broadband Holding Company, a Delaware corporation, which in turn is a wholly owned subsidiary of American Broadband Communications, LLC ("ABB"), a North Carolina limited liability company. Applicants state that, upon Commission approval of a pending transfer of control application filed by ABB, Patrick L. Eudy, a U.S. citizen, will be the sole owner of 10 percent or greater of the equity of ABB.<sup>5</sup>

The proposed transaction consists of the purchase of the outstanding capital stock of RBJ from Bruce Copsey, Evan Copsey, and Jane Copsey, by Holdings. Following the acquisition, RBJ will be held as a wholly owned subsidiary of Holdings.

The Applicants state that the proposed transaction is in the public interest and will allow the Applicants to take advantage of increased efficiencies associated with broader-based rural operations, while ensuring their commitment to high quality and reasonably priced service in Missouri. They further state that there are no competitive concerns associated with the transaction and that Holway, Holway LD, KLM, and KLM LD will continue to provide service in a manner that is transparent to their customers.

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<sup>5</sup> *Domestic Section 214 Application Filed for the Transfer of Control of American Broadband Communications, LLC to Patrick L. Eudy*, Public Notice, DA 07-2057 (rel. May 11, 2007). Currently, William H. Tucker, a U.S. citizen also owns 10 percent or greater of the equity interests in ABB. In addition to Oregon Farmers, Applicants state that ABB has derivative interests that are greater than 10 percent in the following U.S.-based incumbent LECs and interexchange carriers: Georgetown Telephone Company and T.A.T. Cablevision d/b/a Georgetown Long Distance, serving Georgetown, MS; Oregon Farmers Mutual Long Distance Company, serving Oregon and Forest City, MO; Pymatuning Telephone Company and PT Communications, Inc., serving rural areas surrounding Greenville, PA; Gridley Telephone Company and Gridley Communications, Inc., serving Gridley and Meadows, IL; S&A Telephone Company and S&A Communications, Inc., serving Allen and Scranton, Kansas; Waverly Hall Telephone, LLC, serving Waverly Hall, GA; Arlington Telephone Co., serving Arlington, NE; Blair Telephone Co., serving Blair, Kennard, and Ft. Calhoun, NE; Eastern Nebraska Telephone Co., serving Walthill, Macy, Winnebago, Rosalie, Osmond, Meadow Grove, Carroll, and Belden, NE; Rock County Telephone Co., serving Bassett and Newport, NE; Rye Telephone Company, serving Colorado City and Rye, CO and portions of other CO counties; South Park LLC d/b/a South Park Telephone Company, serving Park County and Hartsell, CO; CableCo, LLC d/b/a ghValley LD, serving the areas of Rye Telephone Company and South Park Telephone Company; Danton Telephone Co., serving Dalton, NE; Elsie Communications, Inc., serving Elsie, NE; and Dalton Telecommunications, Inc., serving the same area as Dalton Telephone Co. and Elsie Communications, Inc. Huntel Cablevision d/b/a Huntel Communications provides competitive local exchange service in Lyons, Oakland, and Tekamah, NE, and interexchange services in the area served by Arlington Telephone Co., Blair Telephone Co., and Rock County Telephone Co. Finally, Patrick L. Eudy owns 60 percent of Dialog Telecommunications, a competitive LEC serving Kentucky, Mississippi, and North Carolina.

## **GENERAL INFORMATION**

The transfer of control identified herein has been found, upon initial review, to be acceptable for filing as a non-streamlined application. The Commission reserves the right to return any transfer of assets application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies. Pursuant to section 63.03(a) of the Commission's rules, 47 CFR § 63.03(a), interested parties may file comments **on or before June 6, 2007** and reply comments **on or before June 13, 2007**. Comments may be filed using: (1) the Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's eRulemaking Portal, or (3) by filing paper copies. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- **Electronic Filers:** Comments may be filed electronically using the Internet by accessing the ECFS: <http://www.fcc.gov/ecgb/ecfs/> or the Federal eRulemaking Portal: <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.
- For ECFS filers, if multiple docket or rulemaking numbers appear in the caption of this proceeding, filers must transmit one electronic copy of the comments for each docket or rulemaking number referenced in the caption. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.
- **Paper Filers:** Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class, Express, and Priority mail should be addressed to 445 12th Street, S.W., Washington D.C. 20554.

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**You may submit comments, identified by the above noted docket number, by any of the following methods:**

- **Federal eRulemaking Portal:** <http://www.regulations.gov>. Follow the instructions for submitting comments.
- **Federal Communications Commission's Web Site:** <http://www.fcc.gov/cgb/ecfs/>. Follow the instructions for submitting comments.
- **People with Disabilities:** Contact the FCC to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by e-mail: [FCC504@fcc.gov](mailto:FCC504@fcc.gov) or phone: 202-418-0530 or TTY: 202-418-0432.

**In addition, one copy of each pleading must be sent to each of the following:**

- 1) The Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, [www.bcpweb.com](http://www.bcpweb.com); phone: (202) 488-5300 fax: (202) 488-5563;
- 2) Tracey Wilson-Parker, Competition Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-A103, Washington, D.C. 20554; email: [Tracey.Wilson-Parker@fcc.gov](mailto:Tracey.Wilson-Parker@fcc.gov);
- 3) Jodie May, Competition Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-C234, Washington, D.C. 20554; e-mail: [jodie.may@fcc.gov](mailto:jodie.may@fcc.gov).
- 4) Susan O'Connell, Policy Division, International Bureau, 445 12th Street, S.W., Room 7-B544, Washington, D.C. 20554; email: [susan.o'connell@fcc.gov](mailto:susan.o'connell@fcc.gov); and
- 5) Jim Bird, Office of General Counsel, 445 12th Street, S.W., Room 8-C824, Washington, D.C. 20554; e-mail: [jim.bird@fcc.gov](mailto:jim.bird@fcc.gov).

Filings and comments are also available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone: (202) 488-5300, fax: (202) 488-5563, or via e-mail [www.bcpweb.com](http://www.bcpweb.com).

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For further information, please contact Tracey Wilson-Parker at (202) 418-1394, or Jodie May at (202) 418-0913.

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